

## REMARKS

Claims 1-20 are pending in the present application. Claims 17 and 19 are rejected under 35 U.S.C. 102, claims 18 and 20 are rejected under 35 U.S.C. 103, and claims 1-16 are allowed. Claim 17 is amended, and claim 46 is added. No new matter is added. The rejections are respectfully traversed in light of the following remarks, and reconsideration is requested.

Formal drawings are submitted with this response.

The specification has been amended to update information regarding a referenced application. No new matter is added.

### Rejections under 35 U.S.C. §102

Claims 17 and 19 were rejected under 35 U.S.C. 102(b) as being anticipated by Ghosh (U.S. Pat. 6,011,813). In rejecting claim 17, the Examiner states in part that “Ghosh discloses . . . means (280) for generating an error signal based on the slicer output signal”.

Ghosh discloses that the control 280 determines the error function  $e(k)$ , which is defined as “ $e(k) = \tilde{a}_k * (\tilde{a}_k^2 - R_G)$ ”, where  $\tilde{a}_k$  is the filter signal 225 and  $R_G$  is a “constant”. (Col. 6, lines 16-25; Fig. 2). Thus, the error function is calculated based on the filter signal and a constant. Furthermore,  $\tilde{a}_k$  is the slicer 230 input signal, as shown in Fig. 2.

In contrast, claim 17 has been amended to recite “means for generating an error signal based on the slicer output signal and a delayed version of the slicer input signal”. Support for the amendment is found in Applicant’s specification at page 13, line 19 to page 15, line 2 and Figs. 1, 5, 5A, and 5B. Thus, no new matter is added. This is clearly different than what is disclosed in Ghosh, which teaches using a slicer input signal  $\tilde{a}_k$  and a constant  $R_G$ .

Therefore, claim 17 is believed patentable over Ghosh.

Claim 19 depends on claim 17 and is thus patentable over Ghosh for at least the same reasons as claim 17 discussed above.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of the claims under 35 U.S.C. § 102(b).

Rejections under 35 U.S.C. § 103(a)

Dependent claim 18 was rejected as being unpatentable over Ghosh in view of Koyama (U.S. Publ. 2002/0006160), and dependent claim 20 was rejected as being unpatentable over Ghosh in view of Nedic et al. (U.S. Pat. 6,563,841).

Koyama was cited for disclosing means for storing tap coefficients, and Nedic was cited for disclosing a fractionally-spaced transversal filter with decision feedback and a least mean squared-based adaptation to provide a continuous time adaptation. However, neither Koyama nor Nedic remedy the deficiencies of Ghosh as applied to claim 17 discussed above.

Accordingly, dependent claims 18 and 20 are believed patentable over the cited references for at least the same reasons as claim 17.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of the claims under 35 U.S.C. § 103(a).

New Claim

Claim 46 is added, which depends on claim 17. Claim 46 is supported by claim 1 as originally filed. Thus, no new matter is added. Since claim 46 depends on claim 17, claim 17 is patentable over the cited references for at least the same reasons as claim 17. Further, the tap timing alignment block in combination with the low pass filter “wherein the second output signal is multiplied with the first output signal to generate the feedback signal” as recited in claim 46 are neither disclosed nor taught by the cited references. Thus, claim 46 is believed

patentable over the cited references for this additional reason.

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### CONCLUSION

For the foregoing reasons, Applicant believes pending claims 1-20 and 46 are allowable, and a notice of allowance is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 752-7040.

#### **Certificate of Transmission**

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#### **Electronically Filed by:**



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July 18, 2007

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